

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

**FILED**  
ASHEVILLE, N. C.

**AUG 29 2005**

CIVIL ACTION NO. 1:02CV112

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
v. )

U.S. DISTRICT COURT  
W. DIST. OF N. C.

UNDETERMINED AMOUNT OF U.S. )  
CURRENCY AND FUNDS IN THE )  
FOLLOWING ACCOUNTS: )

First Union National Bank, account )  
number 2000000885359, held in the name )  
of or on behalf of Mountain Top Farms, )  
LLC; )

and )

First Union National Bank, account )  
number 2075293094034, held in the name )  
of or on behalf of R & V Warren Farms, )  
Inc.; )

and )

First Union National Bank, account )  
number 2000001217308, held in the name )  
of or on behalf of R & V Warren Farms, )  
Inc.; )

and )

First Union National Bank, account )  
number 400189966, held in the name of or )  
on behalf of R & V Warren Farms, Inc.; )

and )

First Union National Bank, account )  
number 69502288, held in the name of or )  
on behalf of R & V Warren Farms, Inc.; )

ENTRY OF JUDGMENT BY DEFAULT,  
ENTRY OF JUDGMENT, AND FINAL  
ORDER OF FORFEITURE

and )  
 )  
**First Union National Bank, account )  
 number 2000000578022, held in the name )  
 of or on behalf of Warren and Sandoval )  
 Farms, LLC; )**  
 )  
 and )  
 )  
**First Citizens Bank and Trust Company )  
 account number 001212748290, held in )  
 the name of or on behalf of PVR Produce, )  
 Inc.; )**  
 )  
 and )  
 )  
**First Citizens Bank and Trust Company )  
 account number 001212759803, held in )  
 the name of or on behalf of R & V )  
 Warren Farms, Inc., Cattle Division; )**  
 )  
 and )  
 )  
**First Citizens Bank and Trust Company )  
 account number 001212760097, held in )  
 the name of or on behalf of R & V )  
 Warren Trucking Co., Inc.; )**  
 )  
 and )  
 )  
**Central Carolina Bank and Trust )  
 Company as successor in interest to First )  
 Union National Bank account number )  
 2000000885359 held in the name of or on )  
 behalf of Mountain Top Farms, LLC; )**  
 )  
 and )  
 )  
**Central Carolina Bank and Trust )  
 Company as successor in interest to First )  
 Union National Bank account number )  
 2000000578022 held in the name of or on )  
 behalf of Warren and Sandoval Farms, )  
 LLC; )**

and

**The Hartford Financial Services Group,  
Inc. annuity policy number 710473987  
(associated with First Union National  
Bank account number 69502288)**

**Defendants.**

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This Matter is before the Court on the United States' Motion for an order directing judgment by default pursuant to Federal Rule of Civil Procedure 55(b)(2), and for entry of judgment and final order of forfeiture pursuant to Federal Rule of Civil Procedure 58(a)(2)(A)(iii) against the following defendant property:

1) The sum of the principal and accrued interest held in an interest-bearing account by the Clerk of the United States District Court of the Western District of North Carolina in the name of the caption of this case pursuant to an order of the Court, that sum being \$175,051.79 as of August, 17, 2005.

2) Real property of approximately 50 acres located at Black Cove Road, Buncombe County, North Carolina, Deed Book 1930, Page 223.

For the reasons stated in the Motion and no response being necessary, the Motion is allowed.

**THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The government's motion for judgment by default, entry of judgment, and final order of forfeiture shall be granted and judgment of forfeiture is entered in favor of the United States against all persons and entities in the world;

2. Any and all right, title and interest of all persons in the world in or to the defendant property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein;

3. The United States Marshal is hereby directed to dispose of the forfeited defendant property as provided by law.

This 29<sup>th</sup> day of August, 2005.

  
LACY H. THORNBURG  
UNITED STATES DISTRICT COURT JUDGE